REMARKS

In the final Office Action mailed March 16, 2005, the claims of the application were objected to because of the informality noted in numbered paragraph 2 thereof, and the Examiner will please note that the amendments to the foregoing claims has obviated the informalities there noted.

Claims 1-3 have also been rejected under 35 U.S.C. §102(b) as being anticipated by JP11-155025; claims 2, 20, 22-24, 28, 29 and 46-50 have been rejected under 35 U.S.C. §102(b) as being anticipated by Fultz; and claims 3, 35, 36, 39-42, 51 and 53 have been rejected under 35 U.S.C. §102(b) as also being anticipated by Fultz.

For the reasons that follow, Applicant traverses these grounds for rejecting the claims of the present application, as amended.

Claims 1 to 3 have been rejected under 35 U.S.C. 102(b) as being anticipated by cited reference JP 11-155025 (*NEC* Communications Systems Ltd).

NEC relates to a portable terminal position guiding and informing device and method to retrieve positional information over a wide range when moving beyond a specific area. More specifically, information relating to the position of a portable terminal 1 is converted into voice guidance and is "given to the portable terminal 1 being the origin of request" (abstract, last sentence). Thus, information relating to a position of the portable terminal 1 is provided to the portable terminal 1 in response to a request received from the portable terminal 1.

This is in stark contrast to the invention defined in independent claims 1 to 3 of the present application, wherein information relating to a position of the mobile object

being monitored is provided to a user that is located remotely to the mobile object. Accordingly, the structure and object of the claimed invention are substantially different to that of *NEC*.

Furthermore, *NEC* recites that position information (longitude and latitude) relating to the portable terminal 1 is transferred through a satellite switching center 5 via the mobile communication switchboard 3 to the area information converting device 4. Then, the guidance communication information of the area information is retrieved from the retrieved position information, and the retrieved content is converted into voice guidance, and given to the portable terminal 1 ... (abstract, Fig. 1). Thus, in *NEC*, the area information is retrieved (based on longitude and latitude information) and the voice guidance is generated at a location remote from the portable terminal 1 before being transferred to the portable terminal 1.

On the other hand, independent claims 1 to 3 of the present application define that conversion of textually descriptive data into a verbal message is performed at the mobile object. Claim 1 of the present application defines an apparatus located with a mobile object, which comprises a database for relating coordinate data to textually descriptive data relating to the position of the mobile object and a speech processor for generating the verbal message based on the textually descriptive data. Similarly, claim 3 of the present application defines an apparatus for locating with a mobile object that comprises a database for relating coordinate data to textually descriptive data relating to the position of the mobile object and a speech processor for generating the verbal message based on the textually descriptive data. Method claim 2 of the present application recites that

textually descriptive data relating to the position of the mobile object is used to generate a verbal message at the mobile object.

For at least the foregoing reasons, independent claims 1 to 3 of the present application are not anticipated by cited NEC reference, JP 11-155025.

Claims 2, 20, 22-24, 28, 29 and 46-50 and *Fultz* (USP 6,169,955 and USP 6,021,371)

Fig. 9 of *Fultz* is said to show a method for monitoring the location of a mobile object comprising, *inter alia*, the steps of obtaining, at the mobile object, textually descriptive data relating to the position of the mobile object based on coordinate data and generating a verbal message based on the textually descriptive data, at the mobile object, for conveying the location of the mobile object.

On the contrary, *Fultz* relates to a method and apparatus for providing navigation and information services to a mobile unit from a service location (abstract). More specifically, Fig. 9 of *Fultz* shows voice and data communications between a mobile unit 202 and a base station 201 and between a mobile unit 202 and an auxiliary service provider 203 (Fig. 9). The service location includes a computer and data storage which includes data on geography, roads, road conditions, traffic and other data which may be of use to a user (abstract, lines 4-7). Furthermore, lines 13-17 of the abstract recites: "Using location data which is transmitted to the service location and the data in data storage, the computer compiles a response which is transmitted to the mobile unit and through the speaker for communication to the user."

Reference is also made to *Fultz* (USP 6,169,955 at column 12, lines 7 to 16 and USP 6,021,371 at column 12, lines 2 to 11), which recite:

> "*Since data is stored and updated at a base station or a number of different base stations, and auxiliary service providers located at fixed locations, data may be easily stored and updated in a centralized manner. In addition, since the mobile units do not require complex voice synthesis features .... Furthermore, since compiling of the data is performed at centralized service locations,* ..."

The structure and purpose of the claimed invention are thus substantially different to that of the system and method disclosed in *Fultz*. For example, the claimed invention does not require or employ an auxiliary service provider at a fixed location. Rather, an advantage of the claimed invention is to obviate the need for any such service provider.

Furthermore, claim 2 of the present application recites that *textually descriptive data relating to the position of a mobile object whose position is being monitored is used to generate a verbal message* <u>*at the mobile object*</u>. *Fultz* thus teaches away from the claimed invention, at least on account of reciting that "*the mobile units do not require complex voice synthesis features* ..."

For at least the foregoing reasons, independent claim 2 of the present application is not anticipated by *Fultz*. Dependent claims 20, 22-24, 28, 29 and 46-50 are also not anticipated by *Fultz*, at least by virtue of their dependency on independent claim 2.

Claims 3, 35, 36, 39-42, 51 and 53 and *Fultz* (USP 6,169,955 and USP 6,021,371)

Fig. 4 of *Fultz* is said to show an apparatus for locating a mobile object comprising, *inter alia*, a database for relating said coordinate data to textually descriptive data relating to the position of said object (item 409, landmarks) and a speech processor for generating a verbal message based on said textually descriptive data (item 408).

On the contrary, *Fultz* states that "*Voice communication and digital data is stored in the data storage 409* ..." (column 8, lines 14-15 of USP 6,021,371). The data storage 409 is used simply to store voice communication and digital data received from base station 1 or auxiliary service provider 10. More specifically, the voice communication and digital data are generated at base station 1 or auxiliary service provider 10 and are forwarded via cellular phone antennae 412, modem 411 and digital processor 408 for storage in data storage 409.

This is in marked contrast to the apparatus of claim 3 of the present application, whose database is used to relate coordinate data to textually descriptive data relating to the position of the mobile object. Accordingly, the database of claim 3 of the present application is substantially different to the data storage 409 of *Fultz* in both structure and purpose.

Furthermore, the speech processor of the apparatus of claim 3 of the present application generates a verbal message based on the textually descriptive data in the database for providing to a remote user. More specifically, a verbal message is not

received from an external base station or auxiliary service provider, but is generated at the mobile object.

Reference is also made to *Fultz* (USP 6,169,955 at column 12, lines 7 to 16 and USP 6,021,371 at column 12, lines 2 to 11), which recite:

> "*Since data is stored and updated at a base station or a number of different base stations, and auxiliary service providers located at fixed locations, data may be easily stored and updated in a centralized manner. In addition, since the mobile units do not require complex voice synthesis features .... Furthermore, since compiling of the data is performed at centralized service locations,* ..."

The structure and purpose of the apparatus of claim 3 of the present application are substantially different to that of the system and method disclosed in *Fultz*. For example, the apparatus of claim 3 does not require or employ an auxiliary service provider at a fixed location. Rather, an advantage of the apparatus of claim 3 is to obviate the need for any such service provider.

Furthermore, textually descriptive data relating to the position of a mobile object whose position is being monitored is used to generate a verbal message at the mobile object. *Fultz* thus teaches away from the claimed invention, at least on account of reciting that "the mobile units do not require complex voice synthesis features ..."

For at least the foregoing reasons, independent claim 3 of the present application is not anticipated by *Fultz*. Dependent claims 35, 36, 39-42, 51 and 53 are also not anticipated by *Fultz*, at least by virtue of their dependency on independent claim 3.

Respectfully submitted,

By: _____

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